

Notice of Allowability

Application No.

10/796,432

Examiner

Rodney H. Bonck

Applicant(s)

GAMACHE, MICHAEL E.

Art Unit

3681

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment received May 27, 2005.
2. ☒ The allowed claim(s) is/are 1-17.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

The following action is in response to the amendment received May 27, 2005.

Drawings

The drawings are objected to because they fails to comply with 37 CFR 1.84(p)(3).

(3) Numbers, letters, and reference characters must measure at least .32 cm. (1/8 inch) in height. They should not be placed in the drawing so as to interfere with its comprehension. Therefore, they should not cross or mingle with the lines. They should not be placed upon hatched or shaded surfaces. When necessary, such as indicating a surface or cross section, a reference character may be underlined and a blank space may be left in the hatching or shading where the character occurs so that it appears distinct.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner,

Art Unit: 3681

the applicant will be notified and informed of any required corrective action. The objection to the drawings will not be held in abeyance.

Examiner's Amendment

The following changes to the drawings have been approved by the examiner:

Reference numbers must be corrected to comply with 37 CFR 1.84(p)(3). In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

In the claims:

In claim 1, line 5, after “by”, “the” has been changed to – a --.

In claim 17, line 5, after “by”, “the” has been changed to – a --.

In claim 17, line 33, after “each”, -- of – has been inserted.

The above changes to claims 1 and 17 have been made to obviate an objection for lack of antecedent basis for the term “the second end”. A grammatical correction has also been made to claim 17.

Allowable Subject Matter

Claims 1-17 are allowed.

Reasons for Allowance

The following is an examiner's statement of reasons for allowance:

The prior art of record fails to show or render obvious a one-way, bi-directional clutch as defined in claim 1 wherein the biasing member biases the brake assembly release cam means from the brake assembly locking cam means. In the closest prior art, Olchawa('443), the brake assembly release cam means and the brake assembly locking cam means are rigidly connected to each other and are not biased apart.

The prior art of record also fails to show or teach a one-way, bi-directional clutch as defined in claim 17 wherein one of the input shaft or the locking disc includes a track having a predetermined depth that connect each of the release cam divots thereon, wherein each of the bearings roll onto the track when a predetermined amount of torque is applied to the input shaft. The Miller ('477) patent, of record, shows track 76 between divots and the bearing balls 80 roll into the track when sufficient torque is applied to the output shaft, but not in response to input shaft torque. Furthermore, there would be no motivation to place tracks in the cam means of Olchawa('443), since the camming arrangement of Olchawa does not include bearing balls.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Remarks

The objection to the abstract is withdrawn in view of the amended abstract submitted May 27, 2005.

The amendments to claims 8-13 overcome the previous rejection of claims 8-13 under 35 USC 112, second paragraph. Accordingly the rejection is withdrawn.

The previous rejections of claims 1-11 and 14-16 under 35 USC 102(b) or 35 USC 103(a) are overcome by applicant's amendments filed May 27, 2005. Accordingly, the rejections are withdrawn, and the claims are deemed allowable for the reasons set forth above.

In reconsidering the application, it was noted that the drawings fail to comply with 37 CFR 1.84(p), as noted above. Accordingly, new formal drawings are required in response to this action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rodney H. Bonck whose telephone number is (571) 272-7089. The examiner can normally be reached on Monday-Friday 7:00AM - 3:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles A. Marmor can be reached on (571) 272-7095. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3681

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Rodney H. Bonck
Primary Examiner
Art Unit 3681

rhb
July 7, 2005